

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

IN RE: UP TO \$497,295 IN FUNDS IN THE
ACCOUNT ENDING IN NUMBER
6609, HELD IN THE NAME OF
LEGACY CELLULAR, LLC, AT
WAUKESHA STATE BANK LOCATED
IN WAUKESHA, WISCONSIN

Case No. 09-M-468

**ORDER UNSEALING SEARCH WARRANT,
SEARCH WARRANT AFFIDAVIT, AND SEARCH WARRANT RETURN**

Upon the *ex parte* petition of the United States Attorney for the Eastern District of Wisconsin, and good cause appearing therefore,

IT IS HEREBY ORDERED, that the seizure warrant, the application for the seizure warrant, the supporting affidavit of FBI Special Agent Stephen Vitale, and the seizure warrant return in Case No. 09-M-468 is hereby **UNSEALED**.

SO ORDERED this 30th day of July, 2009.


WILLIAM E. CALLAHAN
United States Magistrate Judge

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

IN RE:	UP TO \$497,295 IN FUNDS IN THE ACCOUNT ENDING IN NUMBER 6609, HELD IN THE NAME OF LEGACY CELLULAR, LLC, AT WAUKESHA STATE BANK LOCATED IN WAUKESHA, WISCONSIN	Case No. 09-M-468
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**EX PARTE PETITION TO UNSEAL SEIZURE WARRANT, SEIZURE
WARRANT APPLICATION SEIZURE WARRANT AFFIDAVIT, AND SEIZURE
WARRANT RETURN**

NOW COMES the United States of America, by and through its attorneys, Michelle L. Jacobs, the Acting United States Attorney for the Eastern District of Wisconsin, and Keith S. Alexander, Assistant United States Attorney for said district, respectfully petitions the Court to unseal the seizure warrant, the application for the seizure warrant, the supporting affidavit of Special Agent Stephen Vitale, of the Federal Bureau of Investigation (FBI), and the seizure warrant return in Case No. 09-M-468. The warrant authorized the seizure of up to \$497,295.00 in funds in the account ending in number 6609, held in the name of Legacy Cellular, LLC, at Waukesha State Bank located in Waukesha, Wisconsin.

In support of this request, the petitioner states as follows:

1. On May 27, 2009, the Honorable William E. Callahan, United States Magistrate Judge, issued a seizure warrant in Case No. 09-M-468 authorizing the seizure of proceeds from Waukesha State Bank in the name of Legacy Cellular, LLC. The warrant was issued in response to the application of FBI Special Agent Stephen Vitale. The application

was supported by Special Agent Vitale's affidavit. The seizure warrant was executed on May 28, 2009.

2. At the request of the government, the Court sealed the warrant, the application for the warrant, Special Agent Vitale's supporting affidavit, and the warrant return. The basis for the Order to Seal was that disclosure may jeopardize the effectiveness of a continuing investigation.

3. The investigation is now complete and the government is in negotiations about possibly resolving the matter. Accordingly, the basis of the seal order is no longer applicable.

4. Furthermore, disclosure of the affidavit in support of the warrant application will help facilitate the negotiation of this matter.

5. Based on the foregoing, therefore, the United States respectfully requests that the Court unseal the seizure warrant, the application for the seizure warrant, the supporting affidavit of FBI Special Agent Stephen Vitale, and the seizure warrant return in Case No. 09-M-468.

Respectfully submitted this 30th day of July, 2009.

MICHELLE L. JACOBS
Acting United States Attorney

By:



KEITH S. ALEXANDER
Assistant United States Attorney